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Attorney Docket No. 30071/37749
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENTEE: Klaus Klenk PATENT NO.: 6,770,680 02 **Certificate of Mailing** ISSUE DATE: August 3, 2004 I hereby certify that this paper is being deposited with the United States Postal Service with INTERNATIONAL FILING sufficient postage as first class mail in an DATE: January 18, 2001 envelope addressed to: Attn: Certificate of Correction Branch, Commissioner for Patents, **APPLICATION NO.: 09/937,388** P.O. Box 1450, Alexandria, VA 22313-1450 on August 26, 2004, FILING DATE: December 20, 2001 Reg. No. 26,910 FOR: METHOD FOR RECYCLING PET COMPONENTS & DEVICE FOR CARRYING OUT SAID METHOD Certificate ART UNIT: 1711 SEP 0 1 2004 of Correction EXAMINER: Acquah

REQUEST FOR CERTIFICATE OF CORRECTION OF APPLICANT'S MISTAKE, UNDER 37 C.F.R. 1.323

ATTN: Certificate of Correction Branch Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 35 U.S.C. 255 and 37 C.F.R. 1.323, issuance of the accompanying proposed Certificate of Correction is respectfully requested. The Certificate corrects the specification to contain a reference to International Application No. PCT/EP01/00526, having an international filing date of January 18, 2001 and to indicate the disclosure (which issued as U.S. Patent No. 6,770,680) is the United States national stage of that international application. It is noted that 37 C.F.R. 1.78(a) provides that the specification must contain, or be amended to contain, such a reference. It is respectfully submitted that a petition under 37 C.F.R. 1.78(a)(6) and surcharge under 37 C.F.R. 1.17(t) are not required, inasmuch as the

information concerning the claim of benefit of the filing date of the international application was recognized by the Patent and Trademark Office, as shown by its inclusion on the Filing Receipt mailed on March 28, 2002 (MPEP 201.11(III)(D)). The Patent and Trademark Office's recognition of the claim of benefit of the filing date of the international application is further evidenced by the Notice of Acceptance of Application Under 35 U.S.C. 371 and 37 C.F.R. 1.494 or 1.495, mailed March 28, 2002, as well as the cover sheets of Patent Application Publication No. US 2003/0010360A1, and issued U.S. Patent No. 6,770,680, which both include specific references to "PCT Filed: January 18, 2001", "PCT No. PCT/EP01/00526".

Because the application has already issued as a patent, the present Request for Certificate of Correction is respectfully submitted to be an appropriate manner of correcting the specification to include the specific benefit claim (MPEP 101.11 III.F.).

All of the requirements set forth in 37 C.F.R. 1.78(a)(1) have been met, inasmuch as the prior-filed international application designated the United States of America, named Klaus Klenk as the inventor (who is also the named inventor in the application which issued as U.S. Patent No. 6,770,680), and was entitled to an international filing date of January 18, 2001, in accordance with PCT Article 11.

It is clear from the record of the patent and the parent application that priority is appropriate. For example, as noted above, the Patent and Trademark Office recognized the claim of benefit of the filing date of the international application, as evidenced by the Filing Receipt and Notice of Acceptance of Application Under 35 U.S.C. 371 and 37 C.F.R. 1.494 or 1.495, both mailed March 28, 2002, and the cover sheets of Patent Application Publication No. US 2003/0010360A1 and issued U.S. Patent No. 6,770,680. Furthermore, the Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371 (form PCTUS1/REV03), filed by Express Mail on September 24, 2001, included a check in the box next to "This is an express request to begin national examination procedures (35 U.S.C. 371(f))." That Transmittal Letter also identified the application number and international filing date. The international application was filed within twelve months of the January 24, 2000 priority date, and the application which resulted in U.S. Patent No. 6,770,680 was timely filed on September 24, 2001 in the United States Patent and Trademark Office, i.e. within thirty months of the priority date. On

November 15, 2001, Applicant submitted a Preliminary Amendment and Substitute Specification, which were accompanied by a second Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371, which also identified the international application number and international filing date. That second Transmittal Letter included a check in the box next to "This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371."

Submitted herewith as copies of documentation showing the designation of states is a copy of the cover sheet to International Application Publication No. WO 01/55250 A1, in which the U.S. is listed as one of the designated countries. It is also noted that the assignee, Krones AG, is listed as Applicant "für alle Bestimmungsstaaten mit Aushchme von US" (or "for all designated states except the US"), and the inventor, Klaus Klenk, is listed as the Application "num für US" (or "for the US only"). It is respectfully submitted that the U.S. Patent and Trademark Office may take Official Notice that such practice is standard only for applications designating the United States of America, as no other PCT signatory countries require the inventor, as opposed to a corporate entity, to be named as the Applicant. In further support of the present Request, copies of the following documents are submitted herewith to show that it is clear from the record that 35 USC 120 priority is appropriate:

- (i) Transmittal Letter submitted September 24, 2001;
- (ii) Second Transmittal Letter submitted November 21, 2001;
- (iii) Filing Receipt mailed March 28, 2002;
- (iv) Notice of Acceptance of Application Under 35 U.S.C. 371 and 37 C.F.R.1.494 or 1.495, mailed March 28, 2002;
- (v) Cover Sheet of Patent Application Publication No. US 2003/0010360A1; and
- (vi) Cover Sheet of U.S. Patent No. 6,770,680.

A fee in the amount of \$100.00 as set forth in 37 C.F.R. 1.20(a) is also submitted for the requested Certificate of Correction of Applicant's Mistake under 37 C.F.R. 1.323. The

Commissioner is hereby authorized to charge any fee deficiency, or to credit any overpayments, to Deposit Account No. 13-2855 of the undersigned's firm under Order No. 30071/37749.

Dated: August 26, 2004

Respectfully submitted,

Richard B. Hoffman, Reg. No. 26,910

Reg. No. 39,25 // MARSHALL, GERSTEIN & BORUN LLP 233 S. Wacker Drive, 6300 Sears Tower

Chicago, Illinois 60606-6357 Telephone: (312) 474-6300 Facsimile: (312) 474-0448

PTO/SB/44 (02-01)

Approved for use through 01/31/2004. OMB 0651-0033

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Form PTO-1050)

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO.

6,770,680 B2

ISSUED

August 3, 2004

INVENTOR

Klaus Klenk

In the Specification:

In Column 1, on a new line immediately following the title, insert:

"This disclosure is entitled to the benefit of the filing date of International Application No. PCT/EP01/00526, which designated the United States of America, having an international filing date of January 18, 2001, and this disclosure is the United States national stage of that international application."

MAILING ADDRESS OF SENDER:

SEP 0 2 2004

Richard B. Hoffman Marshall, Gerstein & Borun, LLP 6300 Sears Tower 233 S. Wacker Drive Chicago, IL 60606-6357

PATENT NO.: 6,770,680 B 2

FORM PT	O-1390 (Modified) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER
	TRANSMITTAL LETTER TO THE UNITED STATES	30071/37749
ŀ	DESIGNATED/ELECTED OFFICE (DO/EO/US)	U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR
INTER	CONCERNING A FILING UNDER 35 U.S.C. 371 NATIONAL APPLICATION NO. INTERNATIONAL FILING DATE	09/937,388
PC	NATIONAL APPLICATION NO. INTERNATIONAL FILING DATE January 18, 2001	PRIORITY DATE CLAIMED January 24, 2000
TITLE (OF INVENTION	24, 2000
AN	PROCESS FOR THE RECYCLING OF PET CONSTITUENTS D AN APPARATUS FOR CARRYING OUT THE PROCESS	0
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	ANT(S) FOR DO/EO/US	6 3 0 200A &;
N L &	aus Klenk	
Applica	ant herewith submits to the United States Designated/Floor JOS - (DO/FOR ID)	RADEMAN ST
	ant herewith submits to the United States Designated/Elected Office (DO/EO/US) the	e following items and other information:
	the state of the s	
	and the state of t	g under 35 U.S.C. 371.
	This is an express request to begin national examination procedures (35 U.S.C. (9) and (24) indicated below.	371(f)). The submission must include itens (5), (6)
4. [The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. [A copy of the International Application as filed (35 U.S.C. 371 (c) (2))	
	a. is attached hereto (required only if not communicated by the Internati	onal Bureau).
	b. has been communicated by the International Bureau.	
	c. is not required, as the application was filed in the United States Received	ving Office (RO/US).
6.	An English language translation of the International Application as filed (35 U.	S.C. 371(c)(2)).
	a. I is attached hereto. b. has been previously submitted under 35 U.S.C. 154(4)(4)	
7.	7-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1	
	Amendments to the claims of the International Application under PCT Article 1 a. are attached hereto (required only if not communicated by the International Application under PCT Article 1	9 (35 U.S.C. 371 (c)(3))
	b. have been communicated by the International Bureau.	ional Bureau).
	c. have not been made; however, the time limit for making such amendments.	ente has NOT anning I
	d. \(\square\) have not been made and will not be made.	ents has NOT expired.
8.		ticle 19 (35 U.S.C. 371(a)(3))
9.	An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).	• .
10.	An English language translation of the annexes to the International Preliminary Article 36 (35 U.S.C. 371 (c)(5)).	Examination Report under PCT
11.	1. copy of the international Frenchinary Examination Report (PC1/IPEA/409).	
2.	A copy of the International Search Report (PCT/ISA/210).	
	13 to 20 below concern document(s) or information included:	
3.	1.98. and 1.98.	ļ
4. □	A separate cover sheer in compliance wi	ith 37 CFR 3.28 and 3.31 is included.
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6.	A SECOND or SUBSEQUENT preliminary amendment. A substitute specification.	•
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9.	A change of power of attorney and/or address letter. A computer-readable form of the sequence listing in accordance with DCT D. L. and D. C. D. C. D. L. and D. C. D. L. and D. C. D. C	1
0.	A computer-readable form of the sequence listing in accordance with PCT Rule 1 A second copy of the published international application under 35 U.S.C. 154(d)	3ter.2 and 35 U.S.C. 1.821 - 1.825.
1.	A second copy of the English language translation of the international application	(4).
2. 🖾	Certificate of Mailing by Express Mail	i uliuei 33 U.S.C. 134(d)(4).
3. 🔯	Other items or information: Substitute Specification	
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24.			llowing fees are subr						CA	LCULATION	NS	PTO USE ONLY
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OR	P10-12		OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER
			TO THE UNITED STATES	30071/37749
		DESIGNATED/ELECTI	ED OFFICE (DO/EO/US)	U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR
		CONCERNING A FILIN	IG UNDER 35 U.S.C. 371	09/937,388
INTE P(RNA CT/E	TIONAL APPLICATION NO. P01/00526	INTERNATIONAL FILING DATE January 18, 2001	PRIORITY DATE CLAIMED January 24, 2000
<u></u>		NVENTION	(C1P	Sundary 21, 2000
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APPI	JCAN	T(S) FOR DO/EO/US		
K.	laus	Klenk	Ver Decimpted/Flested Office (PO/FO/LIS) th	MERCE
Appl	icant	herewith submits to the United Sta	tes Designated/Elected Office (DO/EO/US) th	te following items and other information:
1.			tems concerning a filing under 35 U.S.C. 371.	_
2.	\text{\ti}\text{\ti}}\\ \ti}\\\ \tinth}\text{\text{\text{\text{\text{\text{\text{\tin}\}\text{\text{\text{\text{\text{\text{\text{\ti}}\}\tittt{\ti}\text{\text{\text{\text{\text{\text{\text{\text{\text{\tin}\}\tittt{\text{\texi}\text{\text{\texi}\ti}\text{\text{\text{\		UENT submission of items concerning a filin	
3.				. 371(f)). The submission must include itens (5), (6),
, .		(9) and (24) indicated below.	nenonal examination procedures (35 0.5.e.	. 371(1)). The submission must metade nems (3), (0),
4.		The US has been elected by the e	expiration of 19 months from the priority date	(Article 31).
5.		A copy of the International Appl	ication as filed (35 U.S.C. 371 (c) (2))	
		a. is attached hereto (requ	ired only if not communicated by the Internat	tional Bureau).
		b. has been communicated	by the International Bureau.	
		c. D is not required, as the a	pplication was filed in the United States Recei	iving Office (RO/US).
6.		An English language translation	of the International Application as filed (35 U	.S.C. 371(c)(2)).
		a. is attached hereto.		
		b. has been previously sub	mitted under 35 U.S.C. 154(d)(4).	
7.		Amendments to the claims of the	International Application under PCT Article	19 (35 U.S.C. 371 (c)(3))
		a. are attached hereto (requ	uired only if not communicated by the Interna	tional Bureau).
i		b. have been communicate	d by the International Bureau.	
		c. have not been made; ho	wever, the time limit for making such amendo	nents has NOT expired.
		d. have not been made and	will not be made.	
8.			of the amendments to the claims under PCT A	rticle 19 (35 U.S.C. 371(c)(3)).
9.	□ X	An oath or declaration of the inve		•
10.		An English language translation of Article 36 (35 U.S.C. 371 (c)(5)).	of the annexes of the International Preliminary	Examination Report under PCT
11.		A copy of the International Prelin	ninary Examination Report (PCT/IPEA/409).	•
12.		A copy of the International Search	h Report (PCT/ISA/210).	
lte	ems 1	3 to 20 below concern document(s) or information included:	
13.		An Information Disclosure States	ment under 37 CFR 1.97 and 1.98.	·
14.		An assignment document for reco	rding. A separate cover sheet in compliance	with 37 CFR 3.28 and 3.31 is included.
15.		A FIRST preliminary amendment	•	·
16.		A SECOND or SUBSEQUENT	preliminary amendment.	
17.		A substitute specification.		
18.		A change of power of attorney and	d/or address letter.	
19.		A computer-readable form of the	sequence listing in accordance with PCT Rule	: 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20 .			ternational application under 35 U.S.C. 154(e	
21.	\Box		ruage translation of the international applicati	
22.		Certificate of Mailing by Express		
23.		Other items or information:		
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U.S. APPLICA	TION NO. (IF KNOWN, SEE 37 CFR	INTERNATIONAL APPLICAT	ION NO.	ĺ	ł	OOCKET NUMBER
09/937,		PCT/EP01/00526			30071/37	749
24. T	he following fees are submitted:.			CA	LCULATIONS	PTO USE ONLY
BASIC NATI	ONAL FEE (37 CFR 1.492 (a) (1) -	(5)):				
☐ Neithe	r international preliminary examination ational search fee (37 CFR 1.445(a)(2))	r fee (37 CFR 1.482) nor		1		
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but all	claims did not satisfy provisions of PC ational preliminary examination fee (37)	T Article 33(1)-(4)	\$710.00			
Internal and all	I claims satisfied provisions of PCT An	icle 33(1)-(4)	\$100.00			
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Surcharge of S months from t	\$130.00 for furnishing the oath or declar the earliest claimed priority date (37 Cl	FR 1.492 (e))		\$13	30.00: 50:00	<u>. </u>
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Total claims	- 20 =	0	x \$18.00	-	\$0.00	•
Independent c	laims - 3 =	0	x \$84.00	├	\$0.00	
Multiple Depe	endent Claims (check if applicable).			1.	\$0.00	·
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☐ Applicar reduced	nt claims small entity status. See 37 CF! by 1/2.	R 1.27). The fees indicated abo	ve are		\$0.00	
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Fee for record	ing the enclosed assignment (37 CFR 1 by an appropriate cover sheet (37 CFR)	21(h)). The assignment must	be \Box		\$0.00	
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a. 🗓	A check in the amount of \$130.00					
b. 🗆	Please charge my Deposit Account No A duplicate copy of this sheet is enclo	sed.				he above fees.
·c. 🔀	The Commissioner is hereby authorize to Deposit Account No. 13-2855	ed to charge any additional fee A duplicate copy of this	s which may be re sheet is enclosed	quired	d, or credit any o	overpayment
d□						
NOTE: Whe	re an appropriate time limit under 37	CFR 1.494 or 1.495 has not	been met, a petit			
1.137(a) or (b)) must be filed and granted to restore the application to pending status. SEND ALL CORRESPONDENCE TO:						
	B. Hoffman 1, Gerstein & Borun		[[•		
	ears Tower	hard	B./Hoffm	an		
233 Sou	th Wacker Drive		- V			
	Chicago, Illinois 60606-6357					
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United States Patent and Trademark Office

Commissioner for Patents, Box PCT United States Patent and Trademark Office Washington, D.C. 20231

U.S. APPLICATION NUMBER NO.

09/937,388

Klaus Klenk

30071/37749

INTERNATIONAL APPLICATION NO.

PCT/EP01/00526

I.A. FILING DATE

PRIORITY DATE

01/18/2001

01/24/2000

Marshall Gerstein & Borur 6300 Sears Tower 233 South Wacker Drive Chicago, IL 60606-6402

CONFIRMATION NO. 9412
371 ACCEPTANCE LETTER
COC000000007679430*

Date Mailed: 03/28/2002

NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.494 OR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated Office (37 CFR 1.494), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

12/20/2001

DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) REQUIREMENTS

12/20/2001

DATE OF RECEIPT OF ALL 35 U.S.C. REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. THE DATE APPEARING ON THE FILING RECEIPT AS THE "FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE. The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- U.S. Basic National Fee
- · Copy of references cited in ISR
- Copy of the International Application
- · Copy of the International Search Report
- English Translation of the IA
- Information Disclosure Statements
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination



United States Patent and Trademark Office

COMMISSIONER FOR PATENTS UNITED STATES PATENT AND TRADEMARK OFFICE

CONFIRMATION NO. 9412

WASHINGTON, D.C. 20231 www.uspto.gov

APPLICATION NUMBER

FILING DATE

GRP ART UNIT

FIL FEE REC'D

ATTY.DOCKET.NO

DRAWINGS

TOT CLAIMS

IND CLAIMS

09/937,388

12/20/2001

1713

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30071/37749

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Marshall Gerstein & Borun 6300 Sears Tower 233 South Wacker Drive Chicago, IL 60606-6402



FILING RECEIPT

OC000000007679429*

Date Mailed: 03/28/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Klaus Klenk, Flensburg, GERMANY;

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A 371 OF PCT/EP01/00526 01/18/2001

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Title

Method for recycling pet components and device for carrying out said method

Preliminary Class

521

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(54) METHOD FOR RECYCLING PET COMPONENTS AND DEVICE FOR CARRYING OUT SAID METHOD

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(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 169 days.

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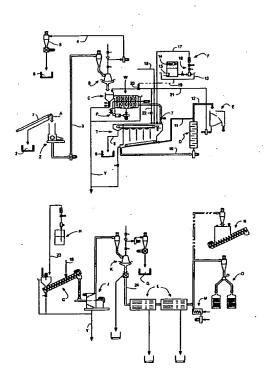
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(57) ABSTRACT

A process for the recycling of PET flakes from comminuted PET bottles, wherein the flakes are subjected to a washing treatment, are treated for at least 20 minutes in at least one washer at an elevated temperature higher than 70° C. with a cleaning solution which contains caustic soda, and at the same time are also mechanically and hydraulically treated.

41 Claims, 3 Drawing Sheets





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(54) METHOD FOR RECYCLING PET COMPONENTS AND DEVICE FOR CARRYING OUT SAID METHOD

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ABSTRACT

In a process for the recycling of PET flakes from comminuted PET bottles, wherein the flakes are subjected to a washing treatment, the flakes are treated for at least 20 minutes in at least one washer at an elevated temperature higher than 70° C., with a cleaning solution which contains caustic soda, and at the same time are also mechanically and hydraulically treated.

